

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 1 of 10

167	MASENGALE (DANNY WAYNE) VS. MASENGALE (TAMMY JOHNSTON) OPINION AFFIRMING VANMETER (PRESIDING JUDGE) ACREE (CONCURS) AND CAPERTON (DISSENTS AND FILES SEPARATE OPINION)	2010-CA-001951-MR NOT TO BE PUBLISHED	FAYETTE
168	BITUMINOUS CASUALTY CORPORATION VS. ESTATE OF LAHOMA SALYER BRAMBLE, ET AL. OPINION AND ORDER DISMISSING APPEAL ACREE (PRESIDING JUDGE) MOORE (CONCURS) AND THOMPSON (DISSENTS AND FILES SEPARATE OPINION)	2011-CA-000542-MR 2011-CA-000643-MR TO BE PUBLISHED	MAGOFFIN
169	INTERACTIVE GAMING COUNCIL VS. COMMONWEALTH OF KENTUCKY, EX REL., J. MICHAEL BROWN, SECRETARY JUSTICE AND PUBLIC SAFETY CABINET OPINION REVERSING AND REMANDING JONES (PRESIDING JUDGE) ACREE (CONCURS) AND MAZE (CONCURS)	2011-CA-001859-MR TO BE PUBLISHED	FRANKLIN
170	COMMONWEALTH OF KENTUCKY, ET AL. VS. SAMARITAN ALLIANCE, LLC, D/B/A SAMARITAN HOSPITAL OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING MAZE (PRESIDING JUDGE) CLAYTON (CONCURS) AND DIXON (CONCURS)	2012-CA-000745-MR TO BE PUBLISHED	FRANKLIN
171	KNOX (MICHAEL) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING TAYLOR (PRESIDING JUDGE) CAPERTON (CONCURS) AND CLAYTON (DISSENTS AND FILES SEPARATE OPINION)	2012-CA-001066-MR NOT TO BE PUBLISHED	JEFFERSON

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 2 of 10

172	GRANT (JIMMIE LAMAR) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) JONES (CONCURS) AND CAPERTON (CONCURS IN RESULT ONLY)	2012-CA-001075-MR NOT TO BE PUBLISHED	PULASKI
173	FIGIELLA (CINDY) VS. PAXTON MEDIA GROUP, LLC, D/B/A THE OWENSBORO MESSENGER- INQUIRER OPINION AFFIRMING ACREE (PRESIDING JUDGE) LAMBERT (CONCURS) AND STUMBO (CONCURS)	2012-CA-001093-MR TO BE PUBLISHED	WOODFORD
174	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ET AL. VS. MAIN SOURCE BANK, ET AL. OPINION REVERSING AND REMANDING VANMETER (PRESIDING JUDGE) LAMBERT (CONCURS) AND MOORE (CONCURS)	2012-CA-001168-MR TO BE PUBLISHED	JEFFERSON
175	BEELER (JAMES) VS. THE CITY OF HILLVIEW, ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) LAMBERT (CONCURS) AND MOORE (CONCURS)	2012-CA-001251-MR NOT TO BE PUBLISHED	BULLITT
176	AWAD (GHASAN FAHMI), ET AL. VS. FAIRWAY AUTO SALES, ET AL. OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) STUMBO (CONCURS) AND TAYLOR (CONCURS)	2012-CA-001274-MR NOT TO BE PUBLISHED	PULASKI
177	GOZAL (EVELYNE) VS. UNIVERSITY OF LOUISVILLE SCHOOL OF MEDICINE OPINION AFFIRMING IN PART AND DISMISSING IN PART CAPERTON (PRESIDING JUDGE) TAYLOR (CONCURS) AND THOMPSON (CONCURS)	2012-CA-001351-MR NOT TO BE PUBLISHED	JEFFERSON

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 3 of 10

178	JAZETTE ENTERPRISES LIMITED, OWNER OF SPORTSBOOK.COM, ET AL. VS. COMMONWEALTH OF KENTUCKY, EX REL., J. MICHAEL BROWN, SECRETARY JUSTICE AND PUBLIC PROTECTION CABINET OPINION AFFIRMING JONES (PRESIDING JUDGE) ACREE (CONCURS) AND MAZE (CONCURS)	2012-CA-001366-MR NOT TO BE PUBLISHED	FRANKLIN
179	MCDONALD (NANCY) VS. COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING ACREE (PRESIDING JUDGE) COMBS (CONCURS) AND STUMBO (CONCURS)	2012-CA-001555-WC NOT TO BE PUBLISHED	WORKERS' COMP
180	ROEDER (JEREMY L.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DIXON (PRESIDING JUDGE) COMBS (CONCURS) AND VANMETER (CONCURS)	2012-CA-001587-MR NOT TO BE PUBLISHED	JEFFERSON
181	SMITH (DEANDREA) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) ACREE (CONCURS) AND TAYLOR (CONCURS)	2012-CA-002044-MR NOT TO BE PUBLISHED	JEFFERSON
182	FORCHT BANK, NA VS. GRIBBINS (RENEE) OPINION AND ORDER DISMISSING MOORE (PRESIDING JUDGE) STUMBO (CONCURS) AND CAPERTON (CONCURS AND FILES SEPARATE OPINION)	2012-CA-002134-MR NOT TO BE PUBLISHED	TAYLOR

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 4 of 10

183	CABINET FOR HEALTH AND FAMILY SERVICES VS. PUCKETT (PERRY), ET AL. OPINION AFFIRMING MAZE (PRESIDING JUDGE) ACREE (CONCURS) AND JONES (CONCURS)	2012-CA-002165-MR NOT TO BE PUBLISHED	FRANKLIN
184	MATHIS (DANEL TAWAN), JR. VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DIXON (PRESIDING JUDGE) COMBS (CONCURS) AND VANMETER (CONCURS)	2013-CA-000098-MR NOT TO BE PUBLISHED	JEFFERSON
185	L. (B)., A CHILD UNDER EIGHTEEN VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING CAPERTON (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS IN RESULT ONLY)	2013-CA-000109-DR NOT TO BE PUBLISHED	CAMPBELL
186	MOORE (DOVIE), AS ADMINISTRATOR OF THE ESTATE OF PEYTON SPENCER GREEN VS. KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING CAPERTON (PRESIDING JUDGE) LAMBERT (CONCURS) AND MOORE (CONCURS)	2013-CA-000271-MR NOT TO BE PUBLISHED	ALLEN
187	DEPARTMENT OF REVENUE, FINANCE & ADMINISTRATION CABINET, COMMONWEALTH OF KENTUCKY VS. ROANOKE CEMENT COMPANY, LLC OPINION AFFIRMING COMBS (PRESIDING JUDGE) CAPERTON (CONCURS) AND THOMPSON (CONCURS)	2013-CA-000471-MR TO BE PUBLISHED	FRANKLIN

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 5 of 10

188	COX (BENJAMIN D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) DIXON (CONCURS) AND VANMETER (CONCURS)	2013-CA-000518-MR NOT TO BE PUBLISHED	JEFFERSON
189	S. (J. A.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS)	2013-CA-000823-ME 2013-CA-000824-ME NOT TO BE PUBLISHED	FAYETTE

ORDERS FOR THE WEEK ENDING 02/14/2014:**ORDERS DISMISSING:**

EDWIN L. ROOF, 2008-CA-001592-MR MCCRACKEN
D/B/A LIN ROOF CONSTRUCTION
VS.
RANDY BOWLING, ET AL.
ENTERED: 02/14/2014

U.S. BANK NATIONAL ASSOCIATION, 2012-CA-000529-MR MEADE
ETC.
VS.
ROBERT S. LOOSE, ET AL.
ENTERED: 02/14/2014

DONALD BLAINE DAUGHERTY 2012-CA-001199-MR NELSON
VS.
CASSANDRA DAUGHERTY
ENTERED: 02/14/2014

JACQUELINE WILSON WILLOUGHBY 2012-CA-002169-MR CLARK
VS.
PEOPLES EXCHANGE BANK
ENTERED: 02/14/2014

RICHARD TAFT HODGE 2013-CA-000164-MR MARSHALL
VS.
SHARI LEIGH HODGE
ENTERED: 02/14/2014

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 6 of 10

DONALD J. SALISBURY VS. JENNIFER LEE HALL SALISBURY ENTERED: 02/14/2014	2013-CA-000307-MR	FLOYD
MARGARET E. MUSSLER, ET AL. VS. THEODORE L. MUSSLER, JR. ENTERED: 02/14/2014	2013-CA-000649-MR 2013-CA-000697-MR	JEFFERSON
COMMONWEALTH OF KENTUCKY, ET AL. VS. LAWRENCE OIL & GAS, INC. ENTERED: 02/14/2014	2013-CA-001142-MR	LAWRENCE
WILLIAM KNIGHT, ET AL. VS. JESUS ORTIZ, ET AL. ENTERED: 02/14/2014	2013-CA-001348-MR	FAYETTE
LARSON STAMPER, JR., ET AL. VS. PHYLLIS TRACY STAMPER ENTERED: 02/14/2014	2013-CA-001669-MR	JEFFERSON
GARY S. BAUMLE VS. JEAN MARIE BAUMLE ENTERED: 02/14/2014	2013-CA-001683-MR	JEFFERSON
ELDON A. JACKSON VS. FALON R. CLARK ENTERED: 02/14/2014	2013-CA-001744-MR 2013-CA-001787-MR	JEFFERSON
D.R.S. VS. COMMONWEALTH OF KENTUCKY, ET AL. ENTERED: 02/14/2014	2013-CA-001762-ME 2013-CA-001763-ME 2013-CA-001764-ME	RUSSELL
NATIONWIDE MUTUAL INSURANCE COMPANY VS. DENISE WRIGHT ENTERED: 02/14/2014	2013-CA-001791-MR	JEFFERSON

COURT OF APPEALS OF KENTUCKY

02/21/2014 AT 10:00 A.M.

PAGE 10 of 10

BOONE CREEK PROPERTIES, LLC

2013-CA-001760-I

FAYETTE

VS.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, ET AL.

ENTERED: 02/20/2014